

01/17/01

JCS20 U.S. PTO

CONTINUING APPLICATION TRANSMITTAL FORM

(37 C.F.R. § 1.53(b))

ANTICIPATED CLASSIFICATION OF THIS

PRIOR APPLICATION: 09/016,995

APPLICATION:

CLASS: SUBCLASS:

EXAMINER: Chin, C

ART UNIT: 1641

To the Assistant Commissioner for Patents:

This is a request for filing a continuation application under 37 C.F.R. 1.53(b), of pending prior application serial No. 09/016,995 filed on February 2, 1998, of Nancy Tommye Jordan and John Douglas Jordan for "METHOD AND APPARATUS FOR DETECTING CONCEPTION IN ANIMALS."

If any extension of time is necessary for the filing of this application, including any extension of time necessary in the prior application for maintaining copendency between the prior application and this application, and such extension has not otherwise been requested, Applicant hereby petitions for such an extension in the prior application.

1. Enclosed is a specification as prescribed by 35 U.S.C. § 112 containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75, and any drawing required by § 1.81(a).

2. The inventor(s) of the invention being claimed in this application are: Nancy Tommye Jordan and John Douglas Jordan

3A. ☒ This application is a continuation or divisional application (not a continuation-in-part) that:

- (i) names as inventors the same or fewer than all of the inventors named in the prior application; and
- (ii) contains no matter that would have been new matter in the prior application; and
- (iii) a copy of the executed oath or declaration filed in the prior application, showing the signature or an indication thereon that it was signed:

☒ is enclosed.

☐ will follow.

☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. § 1.53(d)(4), the Commissioner is requested to delete the name(s) of the following persons who are not inventors of the invention being claimed in this application:

--OR--

3B. ☐ This application is a continuation-in-part application, or a continuation or divisional application naming an inventor not named in the prior application. A newly executed oath or declaration:

☐ is enclosed.

☐ will follow.

4. ☐ Amend the Title of the Invention as follows:

5. ☒ Amend the specification by inserting before the first line the sentence:

This application is a continuation of and claims the benefit of application serial No. 09/016,995 filed February 2, 1998, which status is abandoned, which application is hereby incorporated herein by reference.


6.	<input type="checkbox"/>	Priority of foreign application 'number ', filed on in is claimed under 35 U.S.C. 119.																																		
	<input type="checkbox"/>	The certified copy has been filed in prior application Serial No. , filed on .																																		
7.	<input type="checkbox"/>	Cancel in this application original claims of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)																																		
8.	<input type="checkbox"/>	A preliminary amendment is enclosed.																																		
9.	<input type="checkbox"/>	New formal drawings are enclosed.																																		
10.	<input checked="" type="checkbox"/>	Also enclosed is: copy of Extension of Time as filed in 09/016,995																																		
11.	<input type="checkbox"/>	The prior application is assigned of record to:																																		
12.	<input type="checkbox"/>	A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27:																																		
	<input type="checkbox"/>	is enclosed																																		
	<input checked="" type="checkbox"/>	was filed in prior application Serial Number 09/016,995 and such status is still proper and desired (37 C.F.R. 1.28(a)).																																		
13.	The filing fee is calculated as follows:																																			
	<table border="1"><tr><td>TOTAL CLAIMS</td><td>24 - 20 = 4</td><td></td><td>4 x \$18.00</td><td>\$72.00</td></tr><tr><td>INDEPENDENT CLAIMS</td><td>7 - 3 = 4</td><td></td><td>4 x \$80.00</td><td>\$320.00</td></tr><tr><td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (IF APPLICABLE)</td><td>+ \$270.00</td><td>\$270.00</td></tr><tr><td colspan="4">BASIC FEE</td><td>\$710.00</td></tr><tr><td colspan="4">TOTAL OF ABOVE CALCULATIONS =</td><td>\$1372.00</td></tr><tr><td colspan="4">REDUCTION BY 1/2 FOR FILING BY SMALL ENTITY (NOTE 37 C.F.R. 1.9, 1.27, 1.28) IF APPLICABLE, AFFIDAVIT MUST BE FILED ALSO.</td><td>\$686.00</td></tr><tr><td colspan="4">TOTAL NATIONAL FEE =</td><td>\$686.00</td></tr></table>	TOTAL CLAIMS	24 - 20 = 4		4 x \$18.00	\$72.00	INDEPENDENT CLAIMS	7 - 3 = 4		4 x \$80.00	\$320.00	MULTIPLE DEPENDENT CLAIM(S) (IF APPLICABLE)			+ \$270.00	\$270.00	BASIC FEE				\$710.00	TOTAL OF ABOVE CALCULATIONS =				\$1372.00	REDUCTION BY 1/2 FOR FILING BY SMALL ENTITY (NOTE 37 C.F.R. 1.9, 1.27, 1.28) IF APPLICABLE, AFFIDAVIT MUST BE FILED ALSO.				\$686.00	TOTAL NATIONAL FEE =				\$686.00
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TOTAL NATIONAL FEE =				\$686.00																																
14.	<input checked="" type="checkbox"/>	A check in the amount of \$686.00 is enclosed.																																		
15.	<input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge any fees which may be required under 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account No. 14-0629.																																		

16. [X] The Power of Attorney in the prior application is to: NEEDLE & ROSENBERG, P.C.
- a. [X] The Power of Attorney appears in the original papers in the prior application.
- b. [] Since the Power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. [X] Address all future correspondence to: (May only be completed by applicant, or attorney or agent of record.)

Gwendolyn D. Spratt, Esq.
NEEDLE & ROSENBERG, P.C.
Suite 1200, The Candler Building
127 Peachtree Street, N.E.
Atlanta, GA 30303-1811

17. I hereby verify that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like are made punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Gwendolyn D. Spratt
REG. NO. 36,016


SIGNATURE

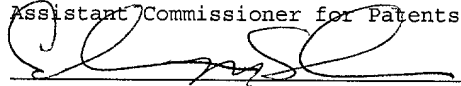
1-17-01
DATE

- [] Inventor(s)
- [] Assignee of complete interest
- [X] Attorney or agent of record
- [] Filed under 37 C.F.R. 1.34(a)
(Registration No. is acting under 37 C.F.R. 1.34(a):

EXPRESS MAIL NO. EL403200381US

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Invoice No. EL 403200381US in an envelope addressed to: BOX PATENT APPLICATION, Assistant Commissioner for Patents, Washington, D.C. 20231, on the date shown below.


Everardo McFarlane

1-17-01
DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
JORDAN ET AL)
Serial No. 09/016,995) Group Art Unit: 1641
Filed: February 2, 1998) Examiner: Chin, C.
For: "METHOD AND APPARATUS FOR)
DETECTING CONCEPTION IN)
ANIMALS")

REQUEST FOR EXTENSION OF TIME

Assistant Commissioner for Patents
Washington, D.C. 20231

NEEDLE & ROSENBERG, P.C.
Suite 1200, The Candler Building
127 Peachtree Street, N.E.
Atlanta, Georgia 30303-1811

January 17, 2001

Sir:

It is respectfully requested that an extension of time for the period indicated below be granted in accordance with the provisions of 37 C.F.R. Section 1.136 to maintain pendency of the application identified in the caption, in order to file a continuation thereof:

_____	One Month	\$110.00	(\$ 55.00)*
_____	Two Months	\$390.00	(\$195.00)*
<u> X </u>	Three Months	\$890.00	(\$445.00)*
_____	Four Months	\$1,390.00	(\$695.00)*
_____	Five Months	\$1,890.00	(\$945.00)*

* Small Entity

ATTORNEY DOCKET NO. 03073.0001
SERIAL NO. 09/016,995

A check in the amount of \$445.00 is attached. This amount is believed to be correct; however, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

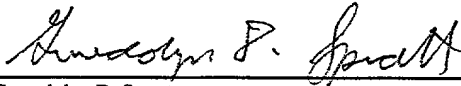
NEEDLE & ROSENBERG, P.C.



Gwendolyn D. Spratt
Registration No. 36,016

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Atlanta, Georgia 30303-1811
(404) 688-0770

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Fee Amendment, Assistant Commissioner for Patents, Washington, D.C. 20231, on the date shown below.



Gwendolyn D. Spratt

1-17-01

Date